

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

PROBATTER SPORTS, LLC

Plaintiff,

vs.

UP TO BAT WEST, LLC

Defendant.

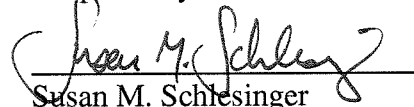
CASE NO.: 1:06-CV-02425
JUDGE SOLOMON OLIVER, JR.

NOTICE OF DISMISSAL

Pursuant to Rule 41(a)(1)(i) of the Federal Rules of Civil Procedure, Plaintiff, ProBatter Sports, LLC ("ProBatter") respectfully submits this Notice of Dismissal to dismiss this action with prejudice.

Dated: October 31, 2007

Respectfully submitted,



Susan M. Schlesinger
GRIMES & BATTERSBY, LLP
488 Main Avenue
Norwalk, CT 06851
Telephone: (203) 849-8300
Facsimile: (203) 849-9300
E-mail: schlesinger@gandb.com

Robert J. Diaz (0077232)
HAHN LOESSER & PARKS LLP
3300 BP Tower
200 Public Square
Cleveland, OH 44114
Telephone: (216) 621-0150
Facsimile: (216) 241-2824
E-mail: rjdiaz@hahnlaw.com

*Attorneys for Plaintiff
ProBatter Sports, LLC*

11/30/2007 - IT IS SO ORDERED.
/s/SOLOMON OLIVER, JR.
UNITED STATES DISTRICT JUDGE

Of Counsel:

GRIMES & BATTERSBY, LLP
Edmund J. Ferdinand, III, Esq.
Russell D. Dize, Esq.
488 Main Avenue
Norwalk, CT 06851
Telephone: (203) 849-8300
Facsimile: (203) 849-9300

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing Notice of Dismissal was filed with the Court on October 31, 2007. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.


Susan M. Schlesinger